

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Buddy Newsome,)	C/A No.: 1:16-1607-TLW-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Bryan P. Sterling, Commissioner of the South Carolina Department of Corrections,)	
)	
)	
Defendant.)	
)	

Buddy Newsome (“Plaintiff”), proceeding pro se and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights. Defendant filed a motion for summary judgment on January 20, 2017. [ECF No. 27]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by February 23, 2017. [ECF No. 28]. Plaintiff was specifically advised that if he failed to respond adequately, Defendant’s motion may be granted. *Id.*

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Plaintiff failed to properly respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendant’s motion for summary judgment by March 13, 2017. Plaintiff is further advised that if he fails to respond, this action will be

recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

February 27, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge